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C O N F I D E N T I A L WELLINGTON 000738

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STATE FOR DRL/MLA, CA, CA/VO/L/A, EAP/FO, AND EAP/ANP

E.O. 12958: DECL: 09/22/2015

TAGS: [PHUM](#) [PREL](#) [PGOV](#) [NZ](#)

SUBJECT: SUGGESTED STRATEGY FOR ALIEN (BUI) REQUEST TO GNZ

REF: SECSTATE 171981

Classified By: Charge D'Affaires David Burnett,  
for reasons 1.4 (b) and (d)

[11.](#) (SBU) This message contains an action request, at paragraph 6.

[12.](#) (C) Post believes that reftel demarche would be a very hard sell to GNZ officials. New Zealand prides itself as a strong player in supporting human rights. The Government has also been strongly criticized in the recent past for "lax" immigration standards: for example three members of Saddam's regime were somehow able to make their way here. "Lax" immigration was also an issue in the recent general elections campaign, and may be responsible for a good part of the Government's loss of support at the polls. GNZ is therefore almost certain not, rpt not, to accept Mr. Bui if the request is presented as it.

[13.](#) (C) However, we may have negotiating leverage with GNZ if we are willing to help them resolve another consular matter that has caused a bit of a strain in our bilateral relations. The USG has declined to readmit LPR Sam Lam, who served time in New Zealand for drug charges and has now been released. Apparently, Mr. Lam's LPR status expired while he was in New Zealand, and his drug charges make him inadmissible to the US absent a waiver. GNZ has been unsuccessful in attempts to ask Vietnam, where Lam was born, to admit him. Lam left Vietnam as a child, and presumably the same GOV policy that bars Mr. Bui's admission to Vietnam is at work here as well. GNZ has raised this case with us several times, including via an approach by Foreign Minister Goff to May Warlow, Director of the Department of Justice's Office of International Affairs.

[14.](#) (C) We of course cannot guarantee that GNZ would be willing to accept Mr. Bui even if we were willing to reconsider the Lam case. But without this offer it is almost certain that New Zealand officials will not accept Bui, especially given their conundrum vis a vis Lam.

[15.](#) (C) FYI: GNZ could in any case not seriously consider a USG request on the Bui case at this time. The results of the September 17 election were so close that the final outcome will only be announced on October 1, after a recount. Until that time, the former Government remains in place under caretaker status, and by convention will not take policy-making decisions except in an emergency.

[16.](#) (C) Post requests Washington guidance whether we should present reftel demarche as written after October 1, or rather suggest to GNZ they discuss both the Lam and Bui cases with USG officials after that time.  
Burnett